

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES

v.

11-CR-06

BRIAN MAHONEY

MOTION TO WITHDRAW

Andrew R. Schulman, Esq., counsel for defendant Brian Mahoney, moves this court to withdraw on the grounds that defendant has demanded Attorney Schulman to withdraw and does not want to have him involved in the case, even as stand by counsel.

Attorney Schulman recently filed a motion to determine status of counsel, for the purpose of noting Mr. Mahoney's continuing and persistent demand to proceed *pro se*. This motion is different: Mr. Mahoney now perceives a conflict with Attorney Schulman and, despite approximately ten hours of in person and phone consultation, Mr. Mahoney believes that there is no way to effectively communicate.

Mr. Mahoney now refuses to discuss the underlying facts of the case, making it impossible for Attorney Schulman to meaningfully prepare, or assist Mr. Mahoney in preparing for trial. He has indicated that will refuse to speak with Attorney Schulman further or to cooperate with Attorney Schulman in any manner.

Mr. Mahoney has informed Attorney Schulman (and authorized Attorney Schulman to repeat in this motion) that he will "do whatever I have to do" to prevent Attorney Schulman from speaking in court on his behalf. While this presumably refers to efforts to seek and/or appeal judicial orders, or efforts to obtain privately retained stand by counsel, it nonetheless suggests a complete breakdown of communication and lack of trust.

Mr. Mahoney also instructed counsel to inform the court that he is upset that the April 30 final pretrial conference was continued, and further that the trial was continued on the government's motion (stating that the defense did not assent) prior to the filing of a defense response thereto.

WHEREFORE, undersigned counsel requests this court to allow undersigned counsel to withdraw.

Respectfully submitted,

April 27, 2012

/s/ Andrew R. Schuman,
Andrew R. Schulman, Esq.
GETMAN, SCHULTHESS
& STEERE, P.A.
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CERTIFICATE OF SERVICE

I, Andrew R. Schulman, hereby certify that I have mailed a copy of this appearance to all counsel of record on April 27, 2012 via the Court's ECF facilities.

/s/Andrew R. Schulman,
Andrew R. Schulman